

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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JUAN R. SERRANO,

Plaintiff,

- against -

RATHINOWITE, et al.,

Defendants.
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: 07 Civ. 8839 (VM)
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ORDER

VICTOR MARRERO, United States District Judge.

By Order dated February 22, 2008 the Court noted that although the complaint herein was filed on October 15, 2007, no service of process had been made on any defendant and directed plaintiff herein to inform the Court by February 27, 2008 of the status of this matter and plaintiff's contemplation with the respect to further proceedings in this case. The Court warned that in the event no timely response to that Order was received, the Court may dismiss the action for lack of prosecution pursuant to Federal Rule of Civil Procedure 4(m). The Court's public file for this case indicates that no response to the February 22, 2008 Order has been received and contains no record that service of process has been made on any defendant. Accordingly, it is hereby

ORDERED that the Clerk of Court is directed to dismiss the complaint herein and to close this case, provided that within ten (10) days of the date of this Order plaintiff may petition the Court, for good cause shown, to reinstate the action to the Court's active docket.

SO ORDERED.

Dated: New York, New York
27 February 2008



VICTOR MARRERO
U.S.D.J.

USDS SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: <u>2-27-08</u>
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